

Action
OCA 86-1228**OFFICE OF CONGRESSIONAL AFFAIRS****Routing Slip**

	ACTION	INFO
1. D/OCA		X
2. DD/Legislation	X	
3. DD/Senate Affairs		
4. Ch/Senate Affairs		
5. DD/House Affairs		
6. Ch/House Affairs		
7. Admin Officer		
8. Executive Officer		X
9. FOIA Officer		
10. Constituent Inquiries Officer		
11.		
12.		

SUSPENSE

1 May 86
Date

Action Officer

Remarks:

*Action completed
No objection relayed to
ON B - 18 Apr 86
GJ / 15 Apr 86
Name/Date*

Refer to State's views

Action
OCA 86-1223

OFFICE OF CONGRESSIONAL AFFAIRS

Routing Slip

	ACTION	INFO
1. D/OCA		X
2. DD/Legislation	X	
3. DD/Senate Affairs		
4. Ch/Senate Affairs		
5. DD/House Affairs		
6. Ch/House Affairs		
7. Admin Officer		
8. Executive Officer		X
9. FOIA Officer		
10. Constituent Inquiries Officer		
11.		
12.		

SUSPENSE

1 May 86
Date

Action Officer:

Remarks:

GJ / 15 Apr 86
Name/Date



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

April 14, 1986

LEGISLATIVE REFERRAL MEMORANDUM

SPECIAL

TO: **Legislative Liaison Officer-**
National Security Council
Department of Defense
Central Intelligence Agency
Department of Justice

OCA FILE Leg. Liaison
RECPT # Record

SUBJECT: State draft report on H.J.Res. 488, regarding covert actions by Nicaragua.

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than THURSDAY, MAY 1, 1986.

Questions should be referred to Sue Thau/Annette Rooney (395-7300), the legislative analyst in this office.

Ronald K. Peterson
RONALD K. PETERSON FOR
Assistant Director for
Legislative Reference

Enclosures
cc: J. Eisenhower
R. Neely

SPECIAL



United States Department of State

Washington, D.C. 20520

Dear Mr. Chairman:

Thank you for your letter of January 29 to the President concerning H.J. Res. 488, "to assert the right of the United States to provide economic and military assistance to any country in the Americas that is threatened covertly or overtly by the actions and policies of the Government of Nicaragua, and for other purposes."

We are grateful for the support for our policy toward Central America reflected in H.J. Res. 488. It appears from your letter, however, that you are concerned that absent such a resolution support for the democratic resistance would conflict with U.S. obligations under international law. It is our conviction that the support we have supplied, and that which has recently been proposed by the President, is in entire accord with our international obligations under the UN and OAS Charters and the Rio Treaty.

The basis for this conclusion is the fact that all of those documents envisage and permit action in individual and collective self-defense against attack -- in this case, against Nicaragua's concrete support for and direction of subversion and destabilization against El Salvador, Honduras and Costa Rica as well as other countries in the hemisphere. (Enclosed are two documents, Revolution Beyond Our Borders and Secretary Shultz's February 27 testimony before the Senate Foreign Relations Committee, which detail these Sandinista attacks.) The fact that our actions are being taken only in response to Nicaraguan aggression is therefore of fundamental legal significance. There is no valid analogy between such actions and the unprovoked aggression of, for example, the Soviet Union in Afghanistan. We appreciate your support for the Administration's goals in Central America, and look forward to working with you on this issue.

The Honorable

Dante B. Fascell, Chairman,
Committee on Foreign Affairs,
House of Representatives.

-2-

The Office of Management and Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this report.

Sincerely,

James W. Dyer
Acting Assistant Secretary
Legislative and Intergovernmental Affairs

Enclosures:
As stated.